

Senate Bill No. 329

CHAPTER 764

An act to add and repeal Title 7.55 (commencing with Section 67150) of the Government Code, relating to public agencies.

[Approved by Governor September 26, 2000. Filed
with Secretary of State September 27, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 329, Peace. San Diego Regional Government Efficiency Commission.

Under existing law, there are a number of agencies involved with transportation and infrastructure issues in the County of San Diego.

This bill would enact the San Diego Regional Government Efficiency Commission Act, make related findings and declarations, create an 11-member San Diego Regional Government Efficiency Commission, require the commission to submit to the Legislature a plan and draft legislation for the consolidation of regional agencies within the San Diego region, and grant specified powers to the commission. The bill would state that legislation implementing the commission's plan shall not become operative unless a ballot proposition containing that proposal is approved by the voters, as specified. The bill would state that if that proposition is approved, at an election conducted in March 2002, the operative date of the legislation shall be July 1, 2002, and if the proposition is approved at an election conducted in November 2002, the operative date of the legislation shall be January 1, 2003. The bill would require the County of San Diego to conduct that election in either March 2002 or November 2002.

By imposing a new program and other duties on local governmental entities this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Title 7.55 (commencing with Section 67150) is added to the Government Code, to read:

TITLE 7.55. SAN DIEGO REGIONAL GOVERNMENT
EFFICIENCY COMMISSION

67150. This title shall be known and may be cited as the San Diego Regional Government Efficiency Commission Act.

67150.1. (a) The Legislature finds and declares all of the following:

(1) The Legislature has established several separate limited-purpose agencies in the San Diego region.

(2) The San Diego region's residents strongly support efforts to protect and enhance our quality of life, the environment, sustained economic development, and efforts to ensure the equitable distribution of the costs and benefits of environmental protection and economic development.

(3) The problems facing the San Diego region include linking land use to transportation and the increasing congestion of airports, ports, and surface transportation routes caused by growth in the transportation of freight, goods, passengers, and commuters.

(4) The opportunity facing the San Diego region is the ability of federal, state, regional, and local agencies to cooperate on solutions.

(b) Accordingly, the Legislature further finds and declares that there is a need to improve coordination or restructure the governance of regional agencies within the San Diego region by January 1, 2003, so as to improve those agencies' authority, efficiency, and accountability.

(c) Therefore, it is the intent of the Legislature in enacting this title to create a regional government efficiency commission to make recommendations to the Legislature regarding these problems, challenges, and opportunities. It is the intent of the Legislature that the commission have the task of developing a plan for the coordinated governance of regional agencies, and to submit that plan for adoption by the Legislature.

67150.2. There is hereby created the San Diego Regional Government Efficiency Commission, which consists of 11 members, as follows:

(a) The Chair of the Joint Agency Negotiating Team on Consolidation, who shall also chair the commission.

(b) The Chair of the Board of Directors of the San Diego Association of Governments, unless that board, by majority vote, appoints another person from among that board's members.



(c) The Chair of the San Diego Metropolitan Transit Development Board, unless that board, by majority vote, appoints another person from among that board's members.

(d) The Chair of the North San Diego County Transit Development Board, unless that board, by majority vote, appoints another person from among that board's members.

(e) The Chair of the Board of Commissioners of the San Diego Unified Port District, unless that board, by majority vote, appoints another person from among that board's members.

(f) The member of the legislative body authorized to govern the infrastructure financing district in the border development zone whose supervisorial district includes the San Ysidro and Otay Mesa border crossings.

(g) Five persons who are residents of the San Diego region, appointed by the Governor. The Legislature encourages the Governor to appoint persons who are broadly representative of the diversity of the residents of the San Diego region.

67150.3. (a) On or before August 1, 2001, the commission shall submit to the Legislature both of the following:

(1) A plan and draft legislation for the consolidation of regional agencies within the San Diego region.

(2) A plan and draft legislation to improve coordination of regional agencies within the San Diego region.

(b) The commission's plan and draft legislation shall accomplish the Legislature's intent as set forth in Section 67150.1.

(c) To the extent it determines it to be necessary, the commission may prepare appropriate ballot propositions for individual jurisdictions.

(d) The commission may evaluate specific land use authority alternatives in order to meet transportation goals as defined by the commission.

(e) The commission may evaluate the consolidation of other regional agencies and functions.

(f) Legislation implementing the commission's plan shall not become operative unless a ballot proposition containing that proposal is approved by a majority of the votes cast by the voters voting on that proposition at an election that shall be conducted by the County of San Diego in the San Diego region in either March 2002, or November 2002. The County of San Diego shall conduct that election in substantial compliance with the state laws pertaining to county referendum elections. If that proposition is approved by a majority of the votes cast at an election conducted in March 2002, the operative date of the legislation shall be July 1, 2002. If that proposition is approved by a majority of the votes cast at an election conducted in November 2002, the operative date of the legislation shall be January 1, 2003.

67150.4. (a) It is the intent of the Legislature that all state agencies, boards, and commissions, including, but not limited to, the California State University and the University of California, shall cooperate with the commission in carrying out its purposes. Further, it is the intent of the Legislature that the Regents of the University of California provide the commission with a venue to carry out its purposes at the University of California, San Diego.

(b) All legislative committees, agencies, and offices shall cooperate with the commission in carrying out its purposes.

(c) A majority of the commission shall constitute a quorum for the transaction of business.

(d) A recorded vote of a majority of the total membership of the commission is required for any action, including, but not limited to, the selection of staff and other support services.

(e) Meetings of the commission are subject to the Bagley-Keene Open Meeting Act (Chapter 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2).

(f) The commission is subject to the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)). The commission is a state agency, as defined in Section 82049.

(g) No member of the commission, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the commission, any committee or subcommittee thereof, any present member of the commission, or any officer or employee thereof, if the appearance or communication is made for the purpose of influencing the commission's action.

67150.5. As used in this title, "San Diego region" means the territory located within the boundaries of the County of San Diego.

67150.6. (a) This title shall remain in effect only until the effective date of the legislation implementing the commission's plan and on that date this title is repealed.

(b) The Secretary of State shall identify the effective date of the implementing legislation described in subdivision (a).

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.